

AMENDED IN SENATE AUGUST 14, 2000

AMENDED IN ASSEMBLY MAY 30, 2000

AMENDED IN ASSEMBLY MAY 2, 2000

AMENDED IN ASSEMBLY APRIL 24, 2000

CALIFORNIA LEGISLATURE—1999–2000 REGULAR SESSION

ASSEMBLY BILL

No. 2733

Introduced by Assembly Member Wesson

February 25, 2000

An act to amend Section 51220.1 of the Education Code, and to amend Sections 11113 and 11219 of, and to add Sections 13210 and 13351.8 to, the Vehicle Code, relating to vehicles.

LEGISLATIVE COUNSEL'S DIGEST

AB 2733, as amended, Wesson. Driving education and offenses: road rage.

(1) Existing law includes automobile driver education among the areas of study in grades 7 to 12, inclusive. Existing law also specifies the topics to be covered in an automobile driver education course.

This bill would further require that automobile driver education contain a component examining driver attitude and motivation that focuses on the reduction of future driving violations, with particular emphasis on aggressive driving behavior and behavior commonly known as “road ~~rage~~”. *rage.*” Because this provision would impose new duties on

school districts, it would constitute a state-mandated local program.

(2) Existing law makes it a misdemeanor or felony for a person to commit an assault upon the person of another with a deadly weapon or instrument, other than a firearm or by any means of abuse likely to produce great bodily injury.

This bill would authorize a court to order the suspension of the driving privilege of any operator of a motor vehicle who commits an assault on an operator or passenger of another motor vehicle, an operator of a bicycle, or a pedestrian and the offense occurs on a ~~street~~ highway. *In addition to or in lieu of the suspension, the bill would authorize the court to require the person convicted to complete an anger management course.* The bill would provide for a ~~4~~ 6 month suspension for a first offense and a one year suspension for a second offense, which the department would be required to impose upon receipt of an abstract of conviction.

(3) Existing law authorizes the Director of Motor Vehicles to prescribe rules and regulations regarding the conduct of courses offered at driving schools and traffic violator schools.

This bill would require the director, in connection with the issuance of rules and regulations relating to driving schools and traffic violator schools, to require, as a component of the curriculum, an examination of driver attitude and motivation that focuses on the reduction of future driving violations, with particular emphasis on aggressive driving behavior and behavior known as ~~“road rage”~~. “road rage.”

(4) The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement, including the creation of a State Mandates Claims Fund to pay the costs of mandates that do not exceed \$1,000,000 statewide and other procedures for claims whose statewide costs exceed \$1,000,000.

This bill would provide that, if the Commission on State Mandates determines that the bill contains costs mandated by the state, reimbursement for those costs shall be made pursuant to these statutory provisions.



Vote: majority. Appropriation: no. Fiscal committee: yes.
State-mandated local program: yes.

The people of the State of California do enact as follows:

1 SECTION 1. Section 51220.1 of the Education Code is
2 amended to read:

3 51220.1. In addition to the requirements specified in
4 subdivision (j) of Section 51220, automobile driver
5 education shall be designed to develop a knowledge of
6 the dangers involved in consuming alcohol or drugs in
7 connection with the operation of a motor vehicle.
8 Automobile driver education shall also contain a
9 component examining driver attitude and motivation
10 that focuses on the reduction of future driving violations,
11 with particular emphasis on aggressive driving behavior
12 and behavior commonly known as “road rage.”

13 SEC. 2. Section 11113 of the Vehicle Code is amended
14 to read:

15 11113. (a) The director may prescribe rules and
16 regulations for driving schools regarding the conduct of
17 courses of driver education and driver training, including
18 curriculum, facilities, and equipment. The rules and
19 regulations regarding curriculum shall require both of
20 the following:

21 (1) A component relating to the dangers involved in
22 consuming alcohol or drugs in connection with the
23 operation of a motor vehicle.

24 (2) A component examining driver attitude and
25 motivation that focuses on the reduction of future driving
26 violations, with particular emphasis on aggressive driving
27 behavior and behavior commonly known as “road rage.”

28 (b) The director may also prescribe rules and
29 regulations for the conduct of driving instructor training
30 courses required by Sections 11102.5 and 11104, including
31 curriculum, facilities, and equipment. The department
32 shall monitor instruction given by driving schools.

33 SEC. 3. Section 11219 of the Vehicle Code is amended
34 to read:

1 11219. The director may prescribe rules and
2 regulations for traffic violator schools regarding the
3 conduct of courses of education including curriculum,
4 facilities, and equipment. The curriculum shall include,
5 but not be limited to, a component examining driver
6 attitude and motivation that focuses on the reduction of
7 future driving violations, with particular emphasis on
8 aggressive driving behavior and behavior commonly
9 known as “road rage.” The director may also prescribe
10 rules and regulations for the conduct of instructor
11 training courses.

12 SEC. 4. Section 13210 is added to the Vehicle Code, to
13 read:

14 13210. In addition to the penalties set forth in
15 subdivision (a) of Section 245 of the Penal Code, the court
16 may order the suspension of the driving privilege of any
17 operator of a motor vehicle who commits an assault as
18 described in subdivision (a) of Section 245 of the Penal
19 Code on an operator or passenger of another motor
20 vehicle, an operator of a bicycle, or a pedestrian and the
21 offense occurs on a ~~street~~ highway. The suspension period
22 authorized under this section for an assault commonly
23 known as “road rage,” shall be ~~four~~ six months for a first
24 offense and one year for a second or subsequent offense
25 ~~commencing upon the person’s release from~~
26 ~~confinement or imprisonment.~~ *to commence, at the*
27 *discretion of the court, either the person’s confinement*
28 *or imprisonment, or upon the person’s release from*
29 *confinement or imprisonment. The court may, in lieu of*
30 *or in addition to the suspension of the driving privilege,*
31 *order a person convicted under this section to complete*
32 *a court-approved anger management or “road rage”*
33 *course, prior to reinstatement of the person’s driving*
34 *privilege and subsequent to the date of the current*
35 *violation.*

36 SEC. 5. Section 13351.8 is added to the Vehicle Code,
37 to read:

38 13351.8. Upon receipt of a duly certified abstract of
39 the record of any court showing that the court has
40 ordered the suspension of a driver’s license pursuant to

1 Section 13210, on or after January 1, 2001, the department
2 shall suspend the person's driving privilege in accordance
3 with that suspension order commencing upon the
4 person's release from confinement or imprisonment.

5 SEC. 6. Notwithstanding Section 17610 of the
6 Government Code, if the Commission on State Mandates
7 determines that this act contains costs mandated by the
8 state, reimbursement to local agencies and school
9 districts for those costs shall be made pursuant to Part 7
10 (commencing with Section 17500) of Division 4 of Title
11 2 of the Government Code. If the statewide cost of the
12 claim for reimbursement does not exceed one million
13 dollars (\$1,000,000), reimbursement shall be made from
14 the State Mandates Claims Fund.

